

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

IN RE:

CHRISTOPHER LEITCH
AKA CHRIS LEITCH
Debtor

Case No. No.: 21-11601-KHK
Chapter 13

**OBJECTION OF SILVIA LEITCH TO PROPOSED AMDNED CHAPTER 13 PLAN
AND OBJECTION TO CONFIRMATION OF PLAN**

Silvia Leitch, a secured creditor in the above-entitled Bankruptcy proceeding, objects to the confirmation of the Amended Plan ("Plan") proposed by the Debtor as follows:

1. Ms. Leitch is a secured creditor of the Debtor, being both a beneficiary of a Deed of Trust on property commonly known as 14068 Randolph Court, Woodbridge VA 22193 in the amount of \$34,943.44 (Debt 1), and as the holder of a judgment against the Debtor entered by the Circuit Court of Prince William County on July 30, 2021 in the amount of \$46,000 (Debt 2).

2. The full amount of Debt 1 is presently due and payable.

3. The Debtor is well aware that Debt 1 is secured yet claimed in his Schedules that the Debt is unsecured.

4. The Debtor is well aware that Debt 1 is to a former spouse and was incurred by the Debtor in connection with a separation agreement and divorce decree, and thus is not dischargeable.

5. The Debtor is well aware that Debt 1 is the result of a separation agreement between the parties incorporated by a decree of divorce which is non-appealable and thus is not subject to dispute.

6. The proposed Plan does not set forth any form of payment of Debt 1.

7. Debtor does not even disclose the existence of Debt 2 in his Schedules, much less provide for its payment in his proposed Plan.

8. The full amount of Debt 2 is presently due and payable.

9. The Debtor is well aware that Debt 2 is to a former spouse and was incurred by the Debtor in connection with a divorce decree, and thus is not dischargeable.

10. The Debtor is well aware that Debt 2 was incurred in the divorce proceedings for the purposes of procuring spousal and child support and thus is not dischargeable.

11. Debtor has no interest in the real property known as 15310 Maribelle Place, Woodbridge, VA 22193 ("Maribelle Property), as more fully set forth in Creditor's Motion for Relief from Stay and Compel the Trustee to Abandon the same, which Motions are incorporated herein.

12. The Debtor's Schedules are neither accurate nor complete.

13. The proposed Plan does not provide this objecting secured creditor with adequate protection or adequate security, according to Sections 362 and 1325(a) of the Code.

14. The Plan is not feasible.

15. The Plan does not propose to pay Ms. Leitch's entire claim despite the same being non-dischargeable.

16. Any Chapter 13 Plan proposed by Debtor must provide for the immediate relinquishment of any claim to the Maribelle Property, immediate payment in full of the amounts due to Ms. Leitch, eliminate the objections specified above in order to be feasible, and provide adequate protection to this objecting secured creditor. It is respectfully requested that confirmation of the Chapter 13 Plan as proposed by Debtor be denied.

WHEREFORE, Silvia Leitch, a secured creditor prays as follows:

1. That confirmation of the proposed Amended Chapter 13 Plan be denied.
2. For attorney's fees and costs incurred herein.
3. That a hearing be held at a date to be determined.
4. For such other relief as this Court deems proper.

SILVIA M. LEITCH,
Creditor

VAUGHN LAW FIRM PLC
1433 New Monrovia Road
Colonial Beach, Virginia 22443
(703) 689-2100 Telephone
rvaughn@oconnorandvaughn.com

By /s/Robert L. Vaughn, Jr.
Robert L. Vaughn, Jr., VSB 20633
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that on this 31st day of December, 2021, the following person(s) were or will be served a copy of the foregoing Objections via the CM/ECF system:

Thomas P. Gorman, Trustee
300 N. Washington St. Ste. 400
Alexandria, VA 22314

Martin Conway, Esq.
12934 Harbor Drive, Suite 107
Woodbridge, VA 22192

Christopher Leitch aka Chris Leitch
4655 Whitaker Place
Woodbridge, VA 22193

Matthew C. Rawls, Esq.
BWW Law Group, LLC
8100 Three Chopt Rd. Suite 240
Richmond, VA 23229

Mary F. Balthasar Lake, Esquire
LOGS Legal Group LLP
10021 Balls Ford Road, Suite 200
Manassas, VA 20109

/s/Robert L. Vaughn, Jr.
Robert L. Vaughn, Jr.